

Division 3. Air Resources Board

Chapter 9. Off-Road Vehicles and Engines Pollution Control Devices

Article 1. Small Off-Road Engines

§ 2406. Emission Control System Warranty Statement.

(a) Each manufacturer must furnish a copy of the following statement with each new 1995 and later small off-road engine, using those portions of the statement applicable to the engine.

CALIFORNIA EMISSION CONTROL WARRANTY STATEMENT

YOUR WARRANTY RIGHTS AND OBLIGATIONS

The California Air Resources Board (and manufacturer's name, optional) is pleased to explain the emission control system warranty on your (year(s)) (equipment type or small off-road) engine. In California, new small off-road engines must be designed, built and equipped to meet the State's stringent anti-smog standards. (Manufacturer's name) must warrant the emission control system on your (equipment type or small off-road) engine for the periods of time listed below provided there has been no abuse, neglect or improper maintenance of your small off-road engine.

Your emission control system may include parts such as the carburetor or fuel-injection system, the ignition system, and catalytic converter. Also included may be hoses, belts, connectors and other emission-related assemblies.

Where a warrantable condition exists, (manufacturer's name) will repair your (equipment type or small off-road) engine at no cost to you including diagnosis, parts and labor.

MANUFACTURER'S WARRANTY COVERAGE:

The 1995 and later small off-road engines are warranted for two years. If any emission-related part on your engine is defective, the part will be repaired or replaced by (manufacturer's name).

OWNER'S WARRANTY RESPONSIBILITIES:

- As the (equipment type or small off-road) engine owner, you are responsible for the performance of the required maintenance listed in your owner's manual. (Manufacturer's name) recommends that you retain all receipts covering maintenance on your (equipment type or small off-road) engine, but (manufacturer's name) cannot deny warranty solely for the lack of receipts or for your failure to ensure the performance of all scheduled maintenance.

- As the (equipment type or small off-road) engine owner, you should however be aware that (manufacturer's name) may deny you warranty coverage if your (equipment type or small off-road) engine or a part has failed due to abuse, neglect, improper maintenance or unapproved modifications.

- You are responsible for presenting your (equipment type or small off-road) engine to a (manufacturer's name) distribution center as soon as a problem exists. The warranty repairs should be completed in a reasonable amount of time, not to exceed 30 days.

If you have any questions regarding your warranty rights and responsibilities, you should contact (Insert chosen manufacturer's contact) at 1-XXX-XXX-XXXX.

(b) Commencing with the 1995 calendar year, each manufacturer must furnish with each new engine a warranty statement that generally describes the obligations and rights of the manufacturer and owner under this article. Manufacturers must also include in the warranty statement a phone number the consumer may use to obtain their nearest franchised service center.

(c) Each manufacturer must submit the documents required by Subsections (a) and (b) with the manufacturer's preliminary application for new engine certification for approval by the Executive Officer. The Executive Officer may reject or require modification of the documents to the extent the submitted documents do not satisfy the requirements of Subsections (a) and (b). Approval by the Executive Officer of the documents required by Subsections (a) and (b) will be a condition of certification. The Executive Officer will approve or disapprove the documents required by Subsections (a) and (b) within 90 days of the date such documents are received from the manufacturer. Any disapproval must be accompanied by a statement of the reasons therefore. In the event of disapproval, the manufacturer may petition the Board to review the decision of the Executive Officer.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.

REFERENCE